

REMARKS

Claims 29 – 33 are pending. Claims 5, 8, 13-14, and 28 have been cancelled. Reexamination and reconsideration of the present application are respectfully requested.

Applicants note that a Restriction/Election Requirement was issued January 20, 2006. In the Restriction/Election Requirement, the Examiner identified four species as follows:

- I. Figures 1-3
- II. Figure 4
- III. Figures 5, 6 and
- IV. Figures 7, 8.

In response to the Restriction/Election Requirement, Applicants filed an Amendment and Election dated April 18, 2006 in which Applicants elected to continue prosecution of the Species IV claims corresponding to Figures 7 and 8.

However, in this Amendment, Applicants have presented five new claims (*i.e.*, claims 29-33) which correspond to the embodiments described in the Figures 5-8. Applicants appreciate that claims 29-33, therefore cover subject matter previously identified as Species III and Species IV. Pursuant to MPEP 806.05, Applicants believe that the restriction requirement is not warranted because there would not be a serious search burden. Applicants note that the classification searched both before and after the previously referenced Restriction/Election Requirement is the same, namely class 52. Accordingly, Applicants respectfully request rejoinder of the elected and non-elected species.

Applicants believe that claims 29-33 distinguish over each of the cited references, alone or in combination. Guiton, U.S. Patent No. 5,069,737 (hereinafter Guiton) is directed to a method of forming a stiffener for a panel. (*Guiton; Abstract*) Guiton discloses that the walls

which form hollow spaces are constituted by layers of fiber and resin 86, 88, 92 and core formers 92 and 94 which are hollow glass reinforced plastic (GRP) and the like. (*Guiton; Col. 4, lines 40-42*)

Eastman et al., U.S. Patent No. 4,606,955 (hereinafter Eastman) is directed to a conductive dielectric structure having electrically conductive channels through its thickness. (*Eastman; Abstract*)

Benson et al., U.S. Patent No. 5,157,893 (hereinafter Benson) is directed to a compact vacuum insulation panel. The compact vacuum insulation panel is comprised of two adjacent metal sheets spaced close together with a plurality of spherical, or other discretely shaped, glass or ceramic beads. (*Benson; Abstract, Col. 7, lines 45-58, and Col. 8 lines 7 - 21*)

Rainville, U.S. Patent No. 4,530,197 (hereinafter Rainville) discloses a thick metallic sandwich structure having layered core portions 16 and core portions 18, each of which is adjoined to face sheets 10 and 50 and have different thicknesses. (*Rainville; FIG. 1 and Col. 4, lines 35-57*)

Thorn, U.S. Patent No. 4,329,827 (hereinafter Thorn) is directed to a roofing element for the construction of roofs for factory buildings. (*Thorn; Col. 1, lines 5-10*) Thorn discloses roofing elements including webs 4 made of a fibrous wood-based material and a flange 5 made of wood. (*Thorn; Col 2, lines 26-27*) Thorn discloses an upper skin 1 made of plywood and a lower skin 2 made of a thin gauge steel or metal plate. Thorn discloses a plurality of recesses formed between the upper skin 1 and the lower skin which are filled with board strips, insulating mats of mineral wool or the like. (*Thorn, Col. 1, lines 40-60 and Col. 2, lines 40-55*)

Bechtel, U.S. Patent No. 5,625,996 (hereinafter Bechtel) discloses a wooden box beam including fire resistant web covers, for use in building structures.

However, none of the aforementioned references disclose, teach or suggest the panel recited in claims 29-33. That is, with respect to independent claim 29, none of the references, either alone or in combination teaches a panel "*wherein at least one, but not all, of the volumes has disposed therein a solid material and at least one of the remaining volumes is hollow so that a sound resonance frequency of the panel is not uniform over a plane of the panel.*"

With respect to independent claim 30, none of the references, either alone or in combination teaches a panel "*wherein at least two adjacent volumes have disposed therein a solid material in specific regions of the volumes, and regions of the volumes of the two adjacent volumes other than the specific regions are hollow so that a sound resonance frequency of the panel is not uniform over a plane of the panel.*"

With respect to independent claim 31, none of the references, either alone or in combination teaches a panel "*wherein at least one, but not all, of the volumes has disposed therein a rod-like member and at least one of the remaining volumes is hollow so that a sound resonance frequency of the panel is not uniform over a plane of the panel.*"

With respect to independent claim 32, none of the references, either alone or in combination teaches a panel "*wherein at least two adjacent volumes have disposed therein a rod-like member in specific regions of the volumes, and regions of the volumes of the two adjacent volumes other than the specific regions are hollow so that a sound resonance frequency of the panel is not uniform over a plane of the panel.*"

Therefore, Applicants respectfully submit that independent claims 29-32 distinguish over the previously cited references (i.e., Guiton, Eastman, Benson, Rainville, Thorn and Bechtel) either alone, or in combination.

Claim 33 depends from independent claim 32. Accordingly, Applicants respectfully

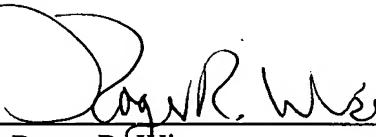
submit that dependent claim 33 distinguishes over the previously cited references (i.e., Guiton, Eastman, Benson, Rainville, Thorn and Bechtel) either alone, or in combination for the same reasons stated above with respect to independent claim 32.

In view of the foregoing amendment and remarks, Applicants believe that the claims are in condition for allowance. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 488-7100 to discuss the steps necessary for placing the application in condition for allowance should the Examiner believe that such a telephone conference call would advance prosecution of the application.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP

Date: November 17, 2008

By: 
Roger R. Wise
Registration No. 31,204
Customer No. 27496

725 South Figueroa Street, Suite 2800
Los Angeles, CA 90017-5406
Telephone: (213) 488-7100
Facsimile: (213) 629-1033